

United States Department of Justice
Office of the United States Trustee
110 N. College Avenue, Suite 300
Tyler, Texas 75202
(903) 590-1450; Fax (903) 590-1461

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

In Re	§	
	§	
Bentley Premier Builders, LLC	§	Case No. 13-41940
6800 LaBelle Court	§	
Plano, TX 75024	§	
COLLIN-TX	§	
Tax ID / EIN: 74-3223419	§	Chapter 11
	§	
Debtor	§	
	§	

APPLICATION TO APPROVE APPOINTMENT OF CHAPTER 11 TRUSTEE

NOTE: SUSPENSE LANGUAGE NOT REQUIRED¹

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE
PRESIDING:

COMES NOW the United States Trustee (“U.S. Trustee”), in the above-numbered and caption bankruptcy case (“Case”), and files this his Application to Approve Appointment of Chapter 11 Trustee (“Application”) pursuant to 11 U.S.C. § 1104(c) and Fed. R. Bankr. P. 2007.1(C), and in support thereof would show the Court as follows:

1. On September 26, 2013, the Court issued its order directing the appointment of a chapter 11 trustee in this Case.
2. On October 3, 2013, the U.S. Trustee filed his Second Notice of Appointment of Mr. Jason Searcy as the chapter 11 trustee for this estate.

¹ The requested relief does not require approval after notice and hearing. See Fed. R. Bankr. P. 2007.1(C); Local Bankruptcy Rule 9007(a).

3. Prior to the appointment of Mr. Searcy, the U.S. Trustee consulted with the following parties-in-interest:

- Mr. Urbach, counsel for the Debtor,
- Mr. Levick, counsel for parties-in-interest in the Case, and
- Ms. Worsham, counsel for secured creditor and interest holder in Case

4. To the best knowledge of the undersigned representative of the U.S. Trustee, Mr. Searcy has disclosed all of his connections with the debtor, creditors, any other parties-in-interest, their respective attorneys and accountants, the U.S. Trustee and all persons employed by the U.S. Trustee, in the unsworn declaration (“Declaration”) attached hereto as exhibit “1”. Based on such Declaration, the undersigned believes and represents that Mr. Searcy is in all ways eligible to serve as a chapter 11 trustee for this estate.

5. The chapter 11 trustee’s bond was set at \$600,000.

WHEREFORE, PREMISES CONSIDERED, the U.S. Trustee respectfully requests this Court to issue its order approving the appointment of Mr. Searcy as the chapter 11 trustee for this estate.

Dated: October 29, 2013

Respectfully submitted,

William T. Neary
United States Trustee
Region 6

By: /s/ Marc Salitore
Timothy W. O'Neal
Asst. U.S. Trustee, SBOT 15283350
Marcus F. Salitore
Trial Attorney, SBOT 24029822
110 N. College Avenue, Suite 300
Tyler, Texas 75702
(903) 590-1450; Fax (903) 590-1461

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing document was served on the following listed persons through the court's electronic notification system as permitted by Appendix 5005 III E to the Local Rules of the U.S. Bankruptcy Court for the Eastern District of Texas, or by first class United States Mail, postage prepaid, no later than October 30, 2013.

/s/ Marc Salitore
Marcus F. Salitore

Notices of Appearance

Laura Worsham
Jones, Allan, et al.
8828 Greenville Avenue
Dallas, Texas 75243

Lee Gordon
McCreary, Veselka, et al.
P.O. Box 1269
Round Rock, Texas 78680

Phillip Collins
7557 Rambler Rd., Ste. 930
Dallas, TX 75231

Andrea Sheehan
LAW OFFICES OF ROBERT E. LUNA, P.C.
4411 N. Central Expressway
Dallas, TX 75205

Laurie Spindler Huffman
LINEBARGER GOGGAN BLAIR & SAMPSON, LLP
2323 Bryan Street, Ste 1600
DALLAS, TX 75201

David McCall
GAY, McCALL, ISAACKS, GORDON & ROBERTS, P.C.
777 East 15th Street
Plano, Texas 75074

Jason A. Starks
Assistant Attorney General
Bankruptcy & Collections Division
P. O. Box 12548
Austin, Texas 78711-2548

Matrix Follows:

Label Matrix for local noticing

Capital Distributing, Inc.

AT&T Mobility

0540-4

P. O. Box 560825

P. O. Box 6463

Case 13-41940

Dallas, TX 75356-0825

Carol Stream, IL 60197-6463

Eastern District of Texas

Sherman

Tue Oct 29 15:29:47 CDT 2013

Accountemps

David Adams

Advent Air Conditioning, Inc.

Division of Robert Half International

c/o Larry A. Levick/Michelle E. Shriro

500 S. Kealy St.

Attn: Karen Lima

Singer & Levick, P.C.

Lewisville, TX 75057-4106

PO Box 5021

16200 Addison Road, Suite 140

San Ramon, CA 94583-9128

Addison, TX 75001-5376

Ari-Tex, LLC

BMC

Bentley Premier Builders, LLC

606 Central Expressway North

P. O. Box 202815

6800 LaBelle Court

Allen, TX 75013-1535

Dept. 28151

Plano, TX 75024-7587

Dallas, TX 75320-2815

Britton Tuma

C&B Woodworking

C. A. Nelson Architects

The Shops at Legacy

304 Millstone Dr.

P. O. Box 702467

7161 Bishop Rd., Suite 220

Wylie, TX 75098-4770

Dallas, TX 75370-2467

Plano, TX 75024-3651

COLLIN COUNTY TAX ASSESSOR/COLLECTOR

Don Chiles

City of Frisco

C/O GAY MCCALL ISAACKS ET AL

c/o Larry A. Levick/Michelle E. Shriro

Linebarger Goggan Blair & Sampson,LLP

777 E 15TH ST

Singer & Levick, P.C.

c/o Laurie Spindler Huffman

PLANO TX 75074-5799

16200 Addison Road, Suite 140

2323 Bryan Street

Addison, TX 75001-5376

Suite 1600

Dallas, TX 75201-2644

City of Frisco

City of Plano

Cliff's Pest Control

P. O. Box 2730

c/o David Ritter

3000 Custer Road

Frisco, TX 75034-0051

City of Plano - Legal Dept.

Suite 270-346

P. O. Box 860358

Plano, TX 75075-4422

Plano, TX 75086-0358

CoServ Gas

Collin County Tax Assessor

Collin County Tax Assessor

Attn: Revenue Recovery

PO Box 8046

c/o David McCall

7701 Stemmons

McKinney, TX 75070-8046

777 E. 15th St.

Corinth, TX 76210

Plano, TX 75074-5799

Philip D. Collins

County of Denton

County of Denton

Philip Collins & Associates, P.C.

c/o Lee Gordon

c/o Lee Gordon

7557 Rambler Road, Suite 930

PO Box 1269

P.O. Box 1269

Dallas, TX 75231-4142

Round Rock, TX 78680-1269

Round Rock, Texas 78680-1269

DalTile

Dallas Builders Association

Dallas North Builders Hardware

P. O. Box 209058

5816 W. Plano Parkway

6709 Levelland Rd.

Dallas, TX 75320-9058

Plano, TX 75093-4636

Dallas, TX 75252-5941

Dallas-PWD, Inc.

Denton County Tax Assessor/Collector

EZ Wall

P. O. Box 203651

P. O. Box 90223

P. O. Box 150067

Dallas, TX 75320-3651

Denton, TX 76202-5223

Dallas, TX 75315-0067

Elite Stone Works, LLC, Inc.

4001 Milano Drive
Plano, TX 75093-7077

Ferguson Enterprises
Attn: Mandi Albright
2683 W. Euless Blvd.
Euless, TX 76040-6613

Page 6 of 9

Ferguson Enterprises, Inc.
2683 W. Euless Blvd.
Euless, TX 76040-6613

Garage Door Services of Houston, Inc.
2212 Commerce Dr.
Arlington, TX 76011-6613

Garland Insulating, Ltd.
P. O. Box 550368
Dallas, TX 75355-0368

Glasshouse
P. O. Box 192449
Dallas, TX 75219-8520

Gloria's Cleaning Service
2208 Great Bear Lane
Denton, TX 76210-2977

Go Daddy.com
14455 N. Hayden Rd., #219
Scottsdale, AZ 85260-6947

Sandy Goltart
c/o Kimberly Sims/John T. Palter
Palter Stokley Sims Wright PLLC
8115 Preston Road, Suite 600
Dallas, TX 75225-6342

(p)MICHAEL REED OR LEE GORDON
PO BOX 1269
ROUND ROCK TX 78680-1269

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Linebarger, Goggan, Blair & Sampson
2323 Bryan St., Suite 1600
Dallas, TX 75201-2644

Internal Revenue Service
P. O. Box 7346
Philadelphia, PA 19101-7346

J&L July Roofing, Inc.
P. O. Box 742663
Dallas, TX 75374-2663

Lindy D. Jones
Jones, Allen Fuquay, L.L.P.
8828 Greenville Ave.
Dallas, TX 75243-7143

K&S
1409 S. Jupiter
Garland, TX 75042-7716

Karen Misko, Trustee for the Morgan Michelle
c/o Larry A. Levick/Michelle E. Shriro
Singer & Levick, P.C.
16200 Addison Road, Suite 140
Addison, TX 75001-5376

Jason Michael Katz
Hiersche, Hayward, Drakeley & Urbach, PC
15303 Dallas Parkway, Suite 700
Addison, TX 75001-4610

Kiva Kitchen & Bath
2651 Fondren Drive
Dallas, TX 75206-4125

Kiva Kitchen & Bath
7071 Southwest Frwy
Houston, TX 77074-2007

Lee Lighting
Lockbox 1949
Hicksville, NY 11802-1949

Larry A. Levick
Singer & Levick, P.C.
16200 Addison Rd.
Suite 140
Addison, TX 75001-5376

Lewisville Independent School District
c/o Andrea Sheehan
Law Offices of Robert E. Luna, PC
4411 N. Central Expressway
Dallas, TX 75205-4210

Bill Loughborough
c/o Larry A. Levick/Michelle E. Shriro
Singer & Levick, P.C.
16200 Addison Road, Suite 140
Addison, TX 75001-5376

Teresa Loughborough
c/o Larry A. Levick/Michelle E. Shriro
Singer & Levick, P.C.
16200 Addison Road, Suite 140
Addison, TX 75001-5376

Manuel's Pool Service
106 Rose Ln.
Frisco, TX 75034-9123

Mark Powell
Frisco, TX

Mark Smith Custom Homes, Inc.
c/o Larry A. Levick/Michelle E. Shriro
Singer & Levick, P.C.
16200 Addison Road, Suite 140
Addison, TX 75001-5376

David McCall
Gay, McCall, Isaacks, et al
777 East 15th Street
Plano, TX 75074-5799

McKinney Lumber Company
P. O. Box 190
Melissa, TX 75454-0190

Metro Brick & Stone
2184 Joe Field
Dallas, TX 75229-3255

Michael S. Mitchell
DeMarco-Mitchell, PLLC
1255 West 15th Street
805
Plano, TX 75075-7225

Mitchell, Lockhart & Associates
17480 Dallas Pkwy., Ste. 211
Dallas, TX 75287-7304

North American Stone Company
P. O. Box 2300
McKinney, TX 75070-8168

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John T. Palter
Palter Stokley Sims Wright PLLC
8115 Preston Road, Suite 600
Dallas, TX 75225-6342

Peckham Custom Builders, Ltd.
c/o Larry A. Levick/Michelle E. Shriro
Singer & Levick, P.C.
16200 Addison Road, Suite 140
Addison, TX 75001-5376

Mark Pitts
c/o Larry A. Levick/Michelle E. Shriro
Singer & Levick, P.C.
16200 Addison Road, Suite 140
Addison, TX 75001-5376

Phillip M Pourchot
c/o Laura L. Worsham
Jones, Allen & Fuquay LLP
8828 Greenville Ave.
Dallas, TX 75243-7143

ProTrade Credit Services
P. O. Box 0105525
Atlanta, GA 30348-5525

RRC Plumbing
601 Isleworth Lane
McKinney, TX 75070-2764

Reliable Plumbing Contractors
2509 Franklin Dr.
Mesquite, TX 75150-4805

ResCom Fire Systems, Inc.
P. O. Box 630886
Irving, TX 75063-0137

Roome Land Surveying, Inc.
2000 Avenue G
Suite 810
Plano, TX 75075

Marcus Salitore
US Trustee Office
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Tyler, TX 75702-7231

Sandy Gorgart
6800 LaBelle Court
Plano, TX 75024-7587

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Andrea Sheehan
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Addison, TX 75001-6937

Kimberly Marie Johnson Sims
PALTER STOKLEY SIMS WRIGHT PLLC
Preston Commons East
8115 Preston Road
Suite 600
Dallas, TX 75225-6342

Sovereign Bank
17950 Preston Road
Suite 500
Dallas, TX 75252-4641

Stanford Trucking
P. O. Box 1403
Frisco, TX 75034-0024

Starside LLC
c/o Laura L. Worsham
Jones, Allen & Fuquay LLP
8828 Greenville Ave.
Dallas, TX 75243-7143

TXU
P. O. Box 650700
Dallas, TX 75265-0700

TXU Energy Retail Company LLC
CO Bankruptcy Department
PO Box 650393
Dallas TX 75265-0393

The Imperial Agency, Inc. Insurance
6444 Sackett St., A 21
Philadelphia, PA 19149-3140

The Nelrod Company
3109 Lubbock Avenue
Fort Worth, TX 76109-2325

The Phillip M. Pourchot Revocable Trust
c/o Laura L. Worsham
Jones, Allen & Fuquay LLP
8828 Greenville Ave.
Dallas, TX 75243-7143

The Phillip M. Pourchot Revocable Trust
c/o Lindy D. Jones
Jones, Allen & Fuquay, LLP
8828 Greenville Avenue
Dallas, TX 75243-7143

U.S. Attorney General
Department of Justice
Main Justice Building
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Washington, DC 20530-0001

US Trustee	United Texas Bank	United Texas Bank
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110 N. College Ave.	Attn: Philip D. Collins	Dallas, TX 75251-2282
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Tyler, TX 75702-7231	Dallas, TX 75231-4142	

Gerald P. Urbach	John M. Vardeman	Vent Tech
Hiersche, Hayward, Drakeley & Urbach	UST Office	P. O. Box 940745
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Addison, TX 75001-4610	Tyler, TX 75702-7231	

Ventura Construction	Verizon	Viosca Architects, Ltd.
P. O. Box 536231	P. O. Box 33078	8000 Warren Parkway
Grand Prairie, TX 75053-6231	Saint Petersburg, FL 33733-8078	Bldg. #1, #100
		Frisco, TX 75034-2231

Wilson Plywood & Door, Inc.	Laura L. Worsham
P. O. Box 461546	Jones, Allen & Fuquay
Garland, TX 75046-1546	8828 Greenville Avenue
	Dallas, TX 75243-7143

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Lee Gordon
McCreary Veselka Bragg & Allen, PC
PO Box 1269
Round Rock, TX 78665

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)Advent Air Conditioning, Inc.	(d)Ari-Tex, LLC	(d)BMC
500 S. Kealy St.	606 Central Expressway North	P. O. Box 202815
Lewisville, TX 75057-4106	Allen, TX 75013-1535	Dept. 28151
		Dallas, TX 75320-2815

(d)Britton Tuma	(d)C&B Woodworking	(d)C. A. Nelson Architects
The Shops at Legacy	304 Millstone Dr.	P. O. Box 702467
7161 Bishop Rd., Suite 220	Wylie, TX 75098-4770	Dallas, TX 75370-2467
Plano, TX 75024-3651		

(d)Capital Distributing, Inc.	(d)City of Frisco	(d)Collin County Tax Assessor
P. O. Box 560825	Linebarger Goggan Blair & Sampson,LLP	PO Box 8046
Dallas, TX 75356-0825	c/o Laurie Spindler Huffman	McKinney, TX 75070-8046
	2323 Bryan Street Suite 1600	
	Dallas, TX 75201-2644	

(d)RRC Plumbing
601 Isleworth Lane
McKinney, TX 75070-2764

(d)ResCom Fire Systems, Inc.
P. O. Box 630886
Irving, TX 75063-0137

(d)Shields, Britton & Fraser, P.C.
16301 Quorum Drive
Addison, TX 75001-6937

(d)Sovreign Bank
17950 Preston Road
Suite 500
Dallas, TX 75252-4641

(d)Ventura Construction
P. O. Box 536231
Grand Prairie, TX 75053-6231

(d)Viosca Architects, Ltd.
8000 Warren Parkway
Bldg. #1, #100
Frisco, TX 75034-2231

End of Label Matrix

Mailable recipients	100
Bypassed recipients	18
Total	118